

REMARKS

The Official Action dated January 25, 2005 has been carefully considered. Accordingly, the changes presented herewith, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

By the present amendment, claims 1-20 are cancelled and claims 21-39 are added. Support for claims 21-39 may be found throughout the present specification. It is believed these changes do not involve any introduction of new matter, whereby entry is believed to be in order and is respectfully requested.

Claims 1-8, 11-15 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Aibe et al U.S. Patent No. 5,403,548 in view of the Bermas U.S. Patent No. 5,772,959 and Aibe et al U.S. Patent No. 5,288,306. The Examiner relied on Aibe et al '548 as teaching an air-deodorizing system, which includes an air filter member, a first filter element with a filter medium, an air moving member that draws air through at least a portion of the filter element, and a filter member that is detachable from the air moving member. The Examiner also asserted that Aibe et al '548 teach an air filter member arranged with the filter element in interaction with the air flowing along the air flow path, positioning a filter member in a confined space and neutralizing odor in the air of the confined space. The Examiner relied on Bermas to teach the use of passive deodorizers that deodorize air without the assistance of an air moving member and the use of sodium bicarbonate in deodorizing the inside of refrigerators, and on Aibe et al '306 to teach the use of a second filter member interchangeable with a first filter member.

This rejection is traversed with respect to claims 23-39 and reconsideration is respectfully requested as the combination of teachings of these three cited references does not suggest the presently claimed invention. None of the references, either alone or in combination, teach a

system or method with each and every element as presently recited in the claims, together with the improved properties thereof. Indeed, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. *In re Fine*, 873 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). The cited references do not teach each and every claim limitation.

As defined by claim 21, the system for deodorizing air according to the invention comprises a passive filter member and a forced air filter member. The passive filter member comprises a first filter element comprising a first filter medium which at least partially comprises sodium bicarbonate, wherein the passive filter member is adapted to remove malodor from air without the assistance of an air moving member. The forced air filter member has an air flow path from an air inlet to an air outlet, and comprises a second filter element and an air moving member, the second filter element comprising a second filter medium which at least partially comprises sodium bicarbonate, wherein the air moving member is adapted to move air along the air flow path and through at least a portion of the second filter medium, and wherein the second filter element is associated with and detachable from the air moving member. The passive filter member is interchangeable with the second filter element in the forced air filter member. Similarly, the method for deodorizing air in confined space of claim 35 employs a passive filter member and a forced air filter member as defined in claim 21. Accordingly, the system provides a convenient and versatile means for deodorizing air.

Thus, each of claims 21 and 35 requires a passive filter member that is interchangeable with the second filter element of the forced air filter member. To the contrary, applicants find no teaching or suggestion in the cited combination of references regarding a system including a passive filter member that is interchangeable with a second filter element of a forced air filter member.

As previously noted, Aibe et al '306 is asserted by the Examiner as disclosing the use of a second filter member interchangeable with the first filter member. In Aibe et al '306, however, the first and second filter members in Fig. 23 relied on by the Examiner are contained within the same apparatus. To the contrary, in the present invention, the passive filter member is interchangeable with the second filter element of the forced air filter member. Applicants find no teaching by Aibe et al '306, or any other cited reference, disclosing the use of a separate, passive filter member that is interchangeable with a second filter element of a forced air filter member. As such, the cited references alone or in combination do not provide each and every claim limitation and therefore, do not support a rejection under 35 U.S.C. §103.

Further, the references must suggest the desirability and thus the obviousness of making the claimed combination, *In re Grabiak*, U.S.P.Q. 870 (Fed. Cir. 1985). Applicants find no teaching by any cited reference, alone or in combination, disclosing the desirability of a system comprising a passive filter member that is interchangeable with a second filter element of a forced air filter member. As such, the cited references do not provide the requisite suggestion of desirability. Accordingly, the rejection under 35 U.S.C. §103 based on Aibe et al '548, Bermas and Aibe et al '306 has been overcome. Reconsideration is respectfully requested.

Claims 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aibe et al '548 in view of Bermas, Aibe '306 and the Ganz U.S. Patent No. 2,025,657. The Examiner relied on Ganz to teach a hemispherical filter member.

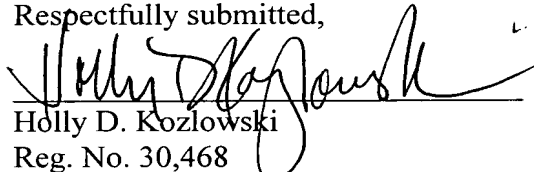
This rejection is traversed with respect to claims 21-39 and reconsideration is respectfully requested. That is, the deficiencies of Aibe et al '548, Bermas and Aibe et al '306 discussed above apply equally as well in this rejection and are not resolved by Ganz. As noted above, applicants find no teaching by Aibe et al '306, or any other cited reference, disclosing the use of or

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desirability of a system comprising a passive filter member that is interchangeable with a second filter element of a forced air filter member. As such, the cited references, alone or in combination, do not provide the requisite suggestion of desirability of each and every claim limitation. Accordingly, the cited combination of references does not support a rejection under 35 U.S.C. §103, whereby the rejection has been overcome.

It is believed that the above represents a complete response to the rejections under 35 U.S.C. § 103(a), and places the present application in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,



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